



DNREC, Shoreline and Waterway Management Section

Spring 2014

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## DNREC Working on Updating Regulations Governing Beach Protection and the Use of Beaches

For several reasons, including previous legislative changes to the Beach Preservation Act, new formatting requirements and statewide review of regulations under Executive Order 36, DNREC's Shoreline and Waterway Management Section is proposing to update the Regulations Governing Beach Protection and the Use of Beaches. The Start Action Notice was submitted at the end of April to the Department and we have formed a Regulatory Advisory Committee, which will begin meeting in mid-May. These regulations will be relevant to those who live within 1,000 feet of the mean high water line of the Delaware Bay and Atlantic Ocean and will more directly affect those who are within ocean or bay block in beach communities. After holding several meetings with the Regulatory Advisory Committee, we plan to hold public workshops prior to submitting the Regulations to the Register for publication. We anticipate this process to take approximately one year.

Some of the changes being considered are:

- Inclusion of terms defined in the Beach Preservation Act (Del. Code Title 7, Chapter 68), particularly "Regulated Area," which removes properties from approval requirements in some communities, but adds the approval requirements for other communities.
- Reorganization to meet the Statewide required format for regulations
- Inclusion of the 4-step process, which is currently a Division policy used to implement an amendment made to the Beach Preservation Act requiring all construction seaward of the Building Line to be as far landward as possible on a lot
- Redefinition of "Building Line" to remove National Geodetic Vertical Datum (NGVD), which is an outdated datum and to incorporate changes to the Building Line in commercial areas in Rehoboth Beach and Bethany Beach and to possibly remap the line with newer topography
- Update of penalties for violating the regulations
- Possible inclusion of construction standards to reduce amount of damage that can occur during coastal storms



### Upcoming Events:

#### EMI E273 Course

"Managing Floodplain Development through the NFIP"  
August 11-14, 2014

For more information:

Greg Williams  
302-739-9921  
Greg.Williams@state.de.us

#### CFM Exam

August 15, 2014

For more information:

Greg Williams at  
Greg.williams@state.de.us

#### Coastal Cleanup

September 20, 2014

For more information:

Joanna Wilson  
(302) 739-9902

**Have a Safe and Happy  
Memorial Day Weekend!**



If you wish to be put on the "Interested Persons" list for notification about the Public Workshops associated with these regulations, please contact Jennifer Luoma at (302) 739-9921 or Jennifer.Luoma@state.de.us.

## DNREC Field Crew Constructs Osprey Nest Platform

The Lewes Shoreline and Waterway Services Facility has a new occupied Osprey Nest. For the last two years an Osprey pair has occupied the roof of the shop, blocking the air vent and prohibiting use of the ventilation fan. In October of 2013, Cindi Cleaver obtained approval from Anthony Gonzon of the Division of Fish and Wildlife to remove the nest with the promise that we



would put up a new nest at the facility prior to this year's mating season. In February Troy Virden who works at the Sand Bypass Plant and is also the Chief of the Lewes Fire Department had his crew from the Lewes Fire Department help with removal of the old nest from the roof to discourage the pair from reoccupying that nest. Rob Gano and his crew from the Division of Fish and Wildlife constructed a new platform for our use and the City of Lewes Electrical Department donated a used telephone pole for us to put the platform on. On March 26, Tony Reese, Troy Maull, Chris Zubrick and Clint Chalabala installed the new platform onto the pole and erected the pole adjacent to the wetlands at the Lewes facility. Within days an Osprey pair occupied the nest.





## 25th Annual Beach Grass Planting a Success!

Approximately, 1200 volunteers headed to Delaware's shoreline to plant beach grass on March 22, 2014. Over 1100 of those volunteers planted Cape American and Bogue Beach Grass in Delaware Seashore State Park north of the Indian River Inlet adjacent to Route 1. The planting efforts followed a beach nourishment project that took place north of the Inlet to recover the beach and dunes that were lost and washed onto Route 1 during Hurricane Sandy. Beach Grass was planted on the newly reconstructed dunes to trap sand, which keeps windblown sand off of Route 1 and allows dunes to grow in height and width. The dunes will now defend the highway during coastal storms.



150,000

planting units of Cape American Beach Grass were planted along over 1 mile of Delaware's beaches. Other planting areas were a small stretch of dune in Lewes Beach and in South Bowers Beach, where sand was placed on the beach as a beneficial reuse of dredged material from dredging the Murderkill River.

Everyone tends to work hard, but has fun and leaves the beach with the feeling of self-satisfaction for a job well done.

DNREC would like to thank all the volunteers who gave us a beautiful Saturday morning to help plant grass. We would also like to give special thanks to the Delaware Mobile Surf-fishermen, Inc. for providing transportation of volunteers and materials up and down the beach and for providing refreshments. We would also like to thank Giant of Millville, Pepsi Bottling Ventures and Superfresh of Rehoboth Beach for donating beverages for volunteers.

*Just wanted to say thanks for such an awesome morning! Your volunteers were so nice to our campers, and we really had a great time.*

*Thanks!*

*John*

*Camp Director*

*Children's Beach House, Inc*



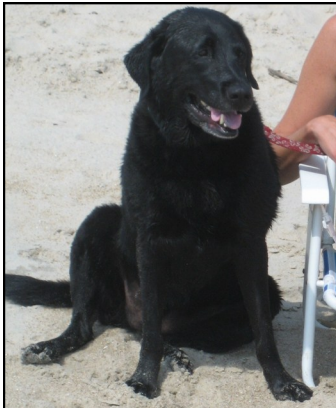


## Adopt-A-Beach is in its 7th two-year cycle

2014 marks the twelfth year of the existence of the Adopt-A-Beach program and is the start of the 7th two-year commitment cycle. Several of the groups who have adopted beaches have been adopting their section of beach since the beginning of the program. Some groups are new this year. Some groups even clean their section of beach more often than the required twice a year. The Department of Natural Resources and Environmental Control collects the information on what is being picked up. The adoptees are very good at telling us what kinds of trash they are finding on our beaches. For example, it is common to find old beach chairs, ropes, cinder blocks, toys, burnt wood (which seems to increase with every season). Old degrading boats can be found in the dunes of Lewes Beach.

Dog waste is becoming an increasing nuisance, being placed in small plastic bags, but still left on the beach or not cleaned up at all. It is a dirty job and our adopt-a-beach groups, organizations and individuals are up for the task; however, we please ask that you clean up after you dog and remove it from the beach completely, as needed.

Another common type of refuse that adoptees report about and are also grossed out by are cigarette butts. These are commonly found on all beaches. However, both Rehoboth Beach and Bethany Beach have banned smoking in general areas on the boardwalk and on the beach in their towns. We hope to see a decrease in the amount of butts found in these areas as a result.



Thank you!



DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL



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### ***For Your Reference:***

Beach Preservation Act

Title 7, Chapter 68

<http://delcode.delaware.gov/title7/c068/index.shtml>

Regulations Governing Beach  
Protection and the Use of Beaches

[http://regulations.delaware.gov/AdminCode/  
title7/5000/5102.shtml](http://regulations.delaware.gov/AdminCode/title7/5000/5102.shtml)

Link to Applications for Coastal  
Construction

Scroll to the bottom of the page for list of  
applications

[http://www.swc.dnrec.delaware.gov/services/Pages/  
PermitsLicensesApprovals.aspx](http://www.swc.dnrec.delaware.gov/services/Pages/PermitsLicensesApprovals.aspx)

FEMA's National Flood Insurance Program

[http://www.fema.gov/about/programs/nfip/  
index.shtm](http://www.fema.gov/about/programs/nfip/index.shtm)

If you have any questions regarding the information found in this publication, please contact Jennifer Luoma at (302) 739-9921 or

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